

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 685 – SB 1067

March 7, 2013

**SUMMARY OF ORIGINAL BILL:** Directs that a judgment or decree shall not bind the equitable interest of real estate or other real property until an abstract of the judgment or decree is registered with the register's office.

Provides that any abstract of a judgment or decree must have the contents required in Tenn. Code Ann. § 25-5-108.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004153):** Deletes all language after the enacting clause.

Authorizes a court of competent jurisdiction to remove a judgment lien against property if the owner of the property is not the person against whom the judgment is entered.

Authorizes the damaged property owner to recover all damages incurred as a result of the judgment lien being filed on the property. The action shall be against the person responsible for registering the judgment lien and damages shall include the costs, including attorney fees, incurred in removing the lien.

Exempts licensed attorneys who prepare documents in the course of representing a client.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal impact.**

Assumption for the bill as amended:

- According to the Administrative Office of the Courts, the bill will not have a significant impact on the courts' caseloads. Any impact can be accommodated within existing resources.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a more compact, stylized manner, followed by "D." and "Geise".

Lucian D. Geise, Executive Director

/trm